

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA
CRIMINAL DIVISION
VENUE: SAN FRANCISCO

FILED
NOV -8 PM 3:59
RICHARD W. WICK
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
v.

ABEL LOPEZ-MENERA
a/k/a Jose Lopez-Martinez,
a/k/a Bernabe Banderas Lopez,

CR 07-0653 SI

DEFENDANT.

INDICTMENT

8 U.S.C. § 1326 - Illegal Reentry Following Deportation

INDICT

A true bill.

Bonnie O'Grady

Foreman

Filed in open court this _____ day of _____

11/8/2007
R. Scott

Clerk

Bail \$

~~750.00~~ No money
Carmen [Signature]

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☒ SUPERSEDING
OFFENSE CHARGED
 8 U.S.C., Section 1326 - Illegal
 Reentry by an Alien After
 Deportation (Class C Felony)

☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony
PENALTY:
 Maximum Prison Term of Ten Years;
 Maximum Fine \$250,000;
 Maximum Term of Supervised Release of Three Years;
 Mandatory Special Assessment of \$100.
PROCEEDING
 Name of Complainant Agency, or Person (& Title, if any)
 Department of Homeland Security/Immigration Customs Enforcement

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. Att'y ☐ Defense

☐ this prosecution relates to a pending case involving this same defendant

☒ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW DOCKET NO.

MAGISTRATE CASE NO.

07-70588

 Name and Office of Person
 Furnishing Information on
 THIS FORM
SCOTT N. SCHOOLS
☒ U.S. Att'y ☐ Other U.S. Agency

 Name of Asst. U.S. Att'y
 (if assigned)

Tarek J. Helou

 Name of District Court, and/or Judge/Magistrate Location
 NORTHERN DISTRICT OF CALIFORNIA
DEFENDANT - U.S.

ABEL LOPEZ-MENERA, a.k.a. Jose Lopez-Martinez

DISTRICT COURT NUMBER

07-00653-SI

DEFENDANT**IS NOT IN CUSTODY**

- 1) ☐ Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

NORTHERN DISTRICT OF CALIFORNIA

IS IN CUSTODY

- 4) ☒ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges
- If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

 9/24/2007
 Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**
☐ SUMMONS ☒ NO PROCESS*
☐ WARRANT

Bail Amount: No bail

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments:

SCOTT N. SCHOOLS (SCBN 9990)
United States Attorney

FILED
07 NOV -8 PM 3:59
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

ABEL LOPEZ-MENERA,
a/k/a Jose Lopez-Martinez,
a/k/a Bernabe Banderas Lopez,

Defendant.

No. CR-07-00653-SI

VIOLATION: 8 U.S.C. § 1326 – Illegal
Reentry Following Deportation

SAN FRANCISCO VENUE

SUPERSEDING INDICTMENT

The Grand Jury charges:

On or about October 16, 1998, the defendant,

ABEL LOPEZ-MENERA,
a/k/a Jose Lopez-Martinez,
a/k/a Bernabe Banderas Lopez,

an alien, was excluded, deported and removed from the United States, and thereafter, on or about
September 24, 2007, was found in the Northern District of California, the Attorney General of the
United States and the Secretary of Homeland Security not having expressly consented to a

//

//

CASE NO. CR-07-00653-SI
SUPERSEDING INDICTMENT

re-application by the defendant for admission into the United States, in violation of Title 8, United States Code, Section 1326.

DATED: 11/08/07

A TRUE BILL.

Bonnie O'Grady
FOREPERSON

SCOTT N. SCHOOLS
United States Attorney

Gregg Lowder
GREGG LOWDER
Deputy Chief, Major Crimes Division

(Approved as to form: Tamela J. Helou)

AUSA HELOU